

## **EXHIBIT R**

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\*Admitted in New York and New Jersey

June 23, 2009

**By email: [dsheehan@bakerlaw.com](mailto:dsheehan@bakerlaw.com)**

David J. Sheehan, Esq.  
Baker & Hostetler, LLP  
45 Rockefeller Plaza, 11th Floor  
New York, NY 10111

Dear Mr. Sheehan:

I write in response to your letter of today's date. I am pleased that you have agreed that any court decision requiring you to recognize the November 30, 2008 balance in a customer's account, and to pay SIPC insurance based upon that balance, will be applied retroactively by you to all customers, even those who have signed Partial Assignment and Release documents as a condition of receiving their SIPC payments.

However, I am not clear what you are offering with respect to the claims of Maureen Ebel and Diane and Roger Peskin. As you know, we contend that Ms. Ebel and the Peskins are immediately entitled to \$500,000 in SIPC insurance. With respect to Ms. Ebel, I understand that you have agreed to pay her the undisputed portion of her claim, or \$398,000. If this is correct, I would appreciate your immediately sending her a check for this amount. As I explained she will be reserving her claim for the remaining \$102,000.

The Peskins are similarly entitled to the undisputed portion of their claim. Frankly, I cannot conceive of a legally cognizable basis for you to dispute the Peskins' entitlement to the full \$500,000 and I again request that you immediately send them a check for this amount.

Until the claims of Ms. Ebel and the Peskins are fully resolved, I cannot possibly withdraw their complaint.

Yours sincerely,



Helen Davis Chaitman

HDC:leb